

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

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In re:

Chapter 7

MICHAEL O MCCOMISKEY  
and FLORENCE C MCCOMISKEY  
*aka* FLORENCE MCDONALD,

Case No.: 20-43450-ess

Debtors.

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**ORDER RETAINING THE LAW OFFICES OF AVRUM J. ROSEN, PLLC,  
AS ATTORNEYS FOR THE TRUSTEE EFFECTIVE AS OF FEBRUARY 24, 2021**

UPON the application (the “Application”) of Debra Kramer, Chapter 7 Trustee (the “Trustee”) of the estate of Michael O McComiskey and Florence C McComiskey *aka* Florence McDonald, to retain the Law Offices of Avrum J. Rosen, PLLC (the “Firm”) as attorneys to the Trustee, and upon the Affidavit of Avrum J. Rosen, Esq., in support of the Trustee’s Application, sworn to on the 8th day of March, 2021 (the “Rosen Affidavit”), and it appearing that the Law Offices of Avrum J. Rosen, PLLC does not hold or represent an interest adverse to the Debtors’ estate and is a “disinterested person” as that term is used in Section 101(14) of Title 11, United States Code; and the Court having determined that the employment of the Firm by the Trustee will be in the best interests of the Debtors’ estate and creditors; and after due deliberation and sufficient cause appearing therefor; it is hereby

**ORDERED**, that under 11 U.S.C. § 327(a) and Bankruptcy Rule 2014, the Trustee is authorized to retain the Law Offices of Avrum J. Rosen, PLLC as attorneys to the Trustee, effective as of February 24, 2021, on the terms and conditions set forth in the Application and the Rosen Affidavit; and it is further

**ORDERED**, that to the extent the Application or the Rosen Affidavit is inconsistent with this Order, the terms of this Order shall govern; and it is further

**ORDERED**, that the Law Offices of Avrum J. Rosen, PLLC shall seek compensation for all fees and reimbursement of expenses upon proper application, upon notice and hearing as is required under sections 330 and 331 of the Bankruptcy Code, Bankruptcy Rule 2014, E.D.N.Y.L.B.R. 2014-1 and the Guidelines of the Office of the United States Trustee; and it is further

**ORDERED**, that the Law Offices of Avrum J. Rosen, PLLC shall not share its compensation with any other attorneys; and it is further

**ORDERED**, that ten (10) business days prior to any increases in the Law Offices of Avrum J. Rosen, PLLC's billing rates for any individual employed by the Law Offices of Avrum J. Rosen, PLLC and retained by the Trustee pursuant to Court Order, the Law Offices of Avrum J. Rosen, PLLC shall file a supplemental affidavit with the Court setting forth the basis for the requested rate increase pursuant to 11 U.S.C. § 330(a)(3)(F). Parties in interest, including the Office of the United States Trustee, retain all rights to object to or otherwise respond to any rate increase on any and all grounds, including, but not limited to the reasonableness standard under 11 U.S.C. § 330. Supplemental affidavits are not required for rate increases effective on or after the date the Trustee submits the Trustee's Final Report to the United States Trustee; and it is further

**ORDERED**, that the Court may retain jurisdiction to hear and to determine all matters arising from or related to the implementation of this Order.

**NO OBJECTION:**

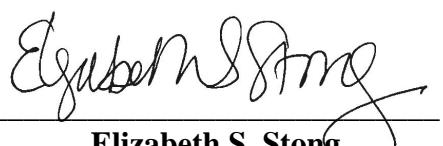
**WILLIAM K HARRINGTON  
UNITED STATES TRUSTEE, REGION 2**

By: /s/ Rachel Wolf, Esq.

Dated: New York, New York  
March 10, 2021

**Dated: Brooklyn, New York  
March 10, 2021**



  
**Elizabeth S. Strong**  
United States Bankruptcy Judge